



0000099494

ORIGINAL

## BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

2009 JUN 17 P 2:17  
AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF  
CHAPARRAL CITY WATER COMPANY, INC.,  
AN ARIZONA CORPORATION, FOR A  
DETERMINATION OF THE FAIR VALUE OF  
ITS UTILITY PLANT AND PROPERTY AND  
FOR INCREASES IN ITS RATES AND CHARGES  
FOR UTILITY SERVICE BASED THEREON.

DOCKET NO. W-02113A-07-0551

PROCEDURAL ORDER**BY THE COMMISSION:**

On September 26, 2007, Chaparral City Water Company, Inc. ("Company" or "CCWC") filed with the Arizona Corporation Commission ("Commission") an application for a rate increase.

On June 3, 2009, a procedural order was issued directing the Commission's Utilities Division ("Staff") to file, by June 12, 2009, an update regarding its February 10, 2009 Motion to Compel and the progress made in Staff's discovery related to the California Public Utility Commission ("CPUC") investigation of Chaparral City Water Company's affiliate, Golden State Water Company ("Golden State").

On June 11, 2009, Staff filed a Request for Extension of Time. Therein, Staff stated that all three of the attorneys assigned to this case currently have time constraint conflicts with appellate matters and settlement negotiations in other cases to which they are assigned that prevent them from meeting the June 12, 2009 deadline.

On June 12, 2009, the Company filed a Response in Opposition to Staff's Motion for Extension of Time.

On June 17, 2009, the Residential Utility Consumer Office ("RUCO") filed a Response to Staff's Request for Extension of Time.

After consideration of the procedural arguments in the pleadings, we find it reasonable to grant Staff's request for a one week time extension. Likewise, the time for responsive pleadings

1 should be extended by one week.

2 IT IS THEREFORE ORDERED that Staff shall file, by June 19, 2009, an update regarding its  
3 February 10, 2009 Motion to Compel and the progress made in Staff's discovery related to the CPUC  
4 investigation of Chaparral City Water Company's affiliate, Golden State.

5 IT IS FURTHER ORDERED that the update shall include a recommendation regarding an  
6 appropriate procedural means of addressing the CPUC investigation issue, including whether it  
7 should be addressed in this docket.

8 IT IS FURTHER ORDERED that the Company, Pacific Life Insurance Company dba Eagle  
9 Mountain Golf Club, and RUCO shall file, by June 26, 2009, their responses to Staff's update.

10 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
11 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*  
12 *hac vice*.

13 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance  
14 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
15 Rules of Arizona Supreme Court). Representation before the Commission includes appearances at all  
16 hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled  
17 for discussion, unless counsel has previously been granted permission to withdraw by the  
18 Administrative Law Judge or the Commission.

19 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized  
20 Communications) continues to apply to this proceeding and shall remain in effect until the  
21 Commission's Decision in this matter is final and non-appealable.

22 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,  
23 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at  
24 hearing.

25 DATED this 17<sup>th</sup> day of June, 2009.

26  
27   
28 TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered  
this 17<sup>th</sup> day of June, 2009, to:

Norman D. James  
Jay L. Shapiro  
FENNEMORE CRAIG  
3003 North Central Avenue, Suite 2600  
Phoenix, AZ 85012-2913  
Attorneys for Chaparral City Water Company

Daniel W. Pozefsky, Chief Counsel  
RESIDENTIAL UTILITY  
CONSUMER OFFICE  
1110 West Washington Street, Suite 220  
Phoenix, AZ 85007-2958


Phil Green  
OB SPORTS F/B MANAGEMENT  
(EM), LLC  
Pacific Life Insurance Company  
dba Eagle Mountain Golf Club  
7025 East Greenway Parkway, Suite 550  
Scottsdale, AZ 85254-2159

Craig A. Marks  
CRAIG A. MARKS, PLC  
10645 North Tatum Boulevard  
Suite 200-676  
Phoenix, AZ 85028

Janice Alward, Chief Counsel  
Robin R. Mitchell, Staff Attorney  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

Ernest G. Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

By:

  
Debbi Person  
Secretary to Teena Wolfe